

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

-----  
In the Matters of the Petitions of : Case XX  
STATE ASSOCIATION OF CAREER EMPLOYEES : No. 15844 SE-55  
and WISCONSIN EDUCATION ASSOCIATION : Decision No. 11884  
Involving Professional - Education : Case XXVIII  
Employees in the Employ of : No. 16176 SE-63  
STATE OF WISCONSIN : Decision No. 11885  
-----

CERTIFICATION OF REPRESENTATIVES

State Association of Career Employees, hereinafter referred to as SACE, and the Wisconsin Education Association, hereinafter referred to as the WEA, having on July 13, 1972, and November 6, 1972, separately filed petitions with the Wisconsin Employment Relations Commission, requesting that the Commission conduct an election among employees employed in "Professional - Education" by the State of Wisconsin, to determine what, if any, representation said employees desire for the purpose of collective bargaining, pursuant to the State Employment Labor Relations Act; and hearing on such petitions having been conducted on March 19, 1973, Chairman Morris Slavney being present, during which the WEA having moved that the Commission issue an Order certifying WEA as the exclusive bargaining representative of the aforementioned employees without the necessity of conducting an election, as provided in Section 111.81(3)(c)1 of the State Employment Labor Relations Act; and during the course of the hearing representatives of the State of Wisconsin having acknowledged that the Wisconsin Employment Relations Commission, prior to April 30, 1972, certified the WEA as the exclusive collective bargaining representative for professional teaching personnel in the employ of the State of Wisconsin, in two separate collective bargaining units, and that the employees in said two units constituted a majority of the otherwise eligible "Professional - Education" employees employed in the classified service of the State of Wisconsin; and the Commission having taken judicial notice of such Certifications, and being satisfied that the WEA should now be certified, without an election, as the exclusive collective bargaining representative of all "Professional - Education" employees employed in the classified service of the State of Wisconsin, excluding limited term employees, sessional employees, and supervisory, managerial and confidential employees, since such Certifications disclosed that the WEA had been certified as the bargaining representative for a majority of the otherwise eligible "Professional - Education" employees employed in the classified service of the State of Wisconsin;

NOW, THEREFORE, it is

CERTIFIED

That, pursuant to Section 111.81(3)(c)1 of the State Employment Labor Relations Act, the Wisconsin Education Association is the exclusive collective bargaining representative of all "Professional -


No. 11884  
11885

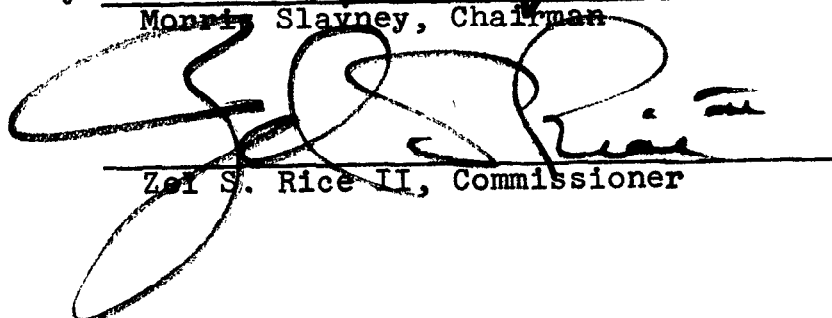
Education" employees employed in the classified service of the State of Wisconsin, excluding limited term employees, sessional employees, and supervisory, managerial and confidential employees. 1/

Given under our hands and seal at the City of Madison, Wisconsin, this *23rd* day of May, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slayney, Chairman

  
Zol S. Rice II, Commissioner

---

1/ The petition filed by SACE is deemed dismissed on the basis that no question of representation exists among the employees involved.

MEMORANDUM ACCOMPANYING  
CERTIFICATION OF REPRESENTATIVES

State Association of Career Employees and the Wisconsin Education Association filed separate petitions seeking an election among "Professional - Education" employees in the employ of the State of Wisconsin to determine what, if any, representation said employees desire for the purposes of collective bargaining. On October 28, 1970, <sup>2/</sup> following an election conducted by it, the Commission certified the WEA as the collective bargaining representative for professional education teaching personnel in the employ of the Department of Health and Social Services. Two hundred ninety-four employees were included among the eligibles in said unit at the time of said election. As of March 19, 1973, the date on which the hearings were conducted on the instant petitions, the unit had expanded in the Department of Health and Social Services to 315 positions. In addition, on November 3, 1971, <sup>3/</sup> following an election conducted by it, the WEA was certified as the collective bargaining representative of professional teaching personnel in the employ of the Department of Public Instruction. At the time of the latter election 70 employees were eligible in the unit and as of March 19, 1973, the unit had expanded to 77 positions.

During the course of the hearing on March 19, 1973, the representative of the State Employer, on the record, indicated that, as a result of such Certifications, the WEA represented a majority of the otherwise eligible "Professional - Education" employees employed in the classified service of the State.

During the course of the hearing SACE proposed the inclusion of additional positions in the unit, which positions neither the State Employer nor WEA would include in the unit involved. Specifically, SACE would include the classifications of Handicapped Children's Specialist 1 and 2; Health Education Specialist 1, 2 and 3; Nursing Consultant 1 and 2; Pharmacist Consultant; Public Health Educator 1, 2 and 3; Public Health Nurse 1, 2 and 3; Public Health Nutritionist 1, 2 and 3; Therapy Consultant; and Therapy Coordinator.

The Commission previously and on January 3, 1973, issued a Certification of Representatives, <sup>4/</sup> wherein it certified the Wisconsin Nurses Association, Inc. as the exclusive bargaining representative for "Professional - Patient Care" employees employed in the classified service of the State of Wisconsin. Included in said unit were Handicapped Children's Specialist 1 and 2; Health Education Specialist 1, 2 and 3; Nursing Consultant 1 and 2; Public Health Educator 1, 2 and 3; Public Health Nurse 1, 2 and 3; and Public Health Nutritionist 1, 2 and 3. SACE contends that such positions should be in the education unit. This issue was originally raised in the case involving "Professional - Patient Care" unit, and it was the Commission's determination that the above referred to classifications should be included in the latter unit rather than in the "Professional - Education" unit.

---

<sup>2/</sup> Decision No. 9896

<sup>3/</sup> Decision No. 10342-A


<sup>4/</sup> Decision No. 11522

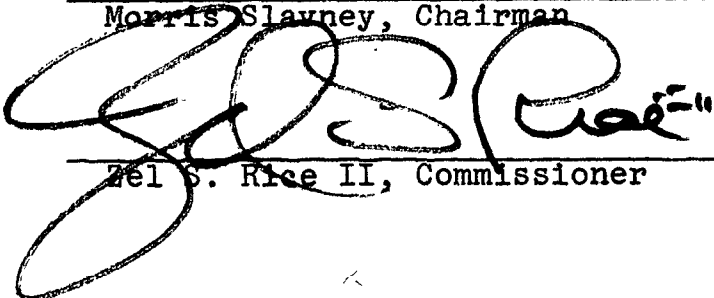
We are, therefore, satisfied that the WEA, as a result of the previous elections, was certified as the representative for a majority of eligible employees in the "Professional - Education" unit, and, therefore, pursuant to Section 111.81(3)(c)1 of the State Employment Labor Relations Act, we have certified the Wisconsin Education Association as the exclusive representative of the other-wise eligible employees in the "Professional - Education" unit.

Attached hereto and marked Appendix "A" is a list of the classifications which are to be included in the unit.

Dated at Madison, Wisconsin, this 23rd day of May, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By   
Morris Slavney, Chairman

  
Zel S. Rice II, Commissioner

APPENDIX "A"

Professional - Education Unit

Archivist 1  
Archivist 2  
Curator 1  
Curator 2\*  
Education Administrative Consultant 1  
Education Administrative Consultant 2  
Education Consultant 1\*  
Education Consultant 2  
Librarian 1\*  
Librarian 2\*  
Librarian 3\*  
Library Associate\*  
Public Library Consultant 1  
Public Library Consultant 2  
Public Library Consultant 3  
School Food Services Consultant  
Senior Fire Service Instructor  
Special Education Supervisor  
Supervisor Civil Defense Adult Education Program  
Supervisor Industrial Safety Education  
Teacher 1\*  
Teacher 2\*  
Teacher 3\*  
Teacher 4\*  
Teacher 5\*  
Teacher 6\*  
Vocational Education Consultant 1  
Vocational Education Consultant 2

---

\* Split Classes